

THE SENATE

FORTIETH DAY

(Continued on page 1.)

of the House of Representatives of the Congress of the United States, and a copy to Hon. J. K. Kalamianale, Delegate to Congress, for submission to that Honorable Body.

The resolution was adopted on call of the roll, only Paris voting against it. He tried, before voting, to move reference to a committee, but was ruled out of order.

BILLS SIGNED.

The following communication was received from Secretary Atkinson, and placed on file:

Honorable D. P. R. Isenberg, President of the Senate, Territory of Hawaii—

Sir: It affords me pleasure to inform your honorable body that the Governor has this day signed:

Senate Bill No. 38 (Act 16), an Act to Amend Section 1820 of the Revised Laws of Hawaii.

House Bill No. 31 (Act 17), to Limit the time within which certain criminal actions may be prosecuted.

House Bill No. 80 (Act 18), to prevent and punish the desecration of the flag of the United States.

House Bill No. 101 (Act 19), to amend Sections 2230 and 2232 of the Revised Laws of Hawaii, relating to annulment, divorce and separation.

Senate Bill No. 58 (Act 20), to provide for the publication of the decisions of the United States District Court for Hawaii.

Senate Bill 30 (Act 21), to amend Sections 1025 and 1039 of the Revised Laws of Hawaii, relating to cleaning of streets, removal of garbage, dead animals and other nuisances; cleaning of cesspools and making sewer connections in any city, town or village in the Territory of Hawaii, and to establish rates and charges for such matters.

Senate Bill No. 60 (Act 23), to repeal Sections 2683, 2684 and 2686 of the Revised Laws of Hawaii.

Senate Bill No. 34 (Act 23), providing for the filing of plans and surveys of land in the office of the Registrar of Conveyances.

Senate Bill No. 67 (Act 24), providing for a Board of Commissioners of Public Archives.

House Bill No. 136 (Act 25), relating to the taxation of social clubs.

Yours truly,
A. L. C. ATKINSON,
Secretary of Hawaii.

HOW TO SELL MILK.

After this, consideration of the License Bill was resumed. The section relative to milk license was referred to the Public Lands Committee.

Those sections relating to mercantile licenses were referred to the Ways and Means Committee, to give the mercantile community a chance to be heard.

The section with reference to the sale of drugs was amended so as to strike out the imprisonment clause from the penalty.

"It seems to me," said Dowsett, speaking upon the proposition to license shows, "that the longer we work with this bill, the worse it gets. I move that the whole thing be sent to the Judiciary Committee to be straightened out."

The motion was lost, and the Senate went on with its labor.

On his motion to strike out the salmon license, Bishop arose to a question of privilege to state that, notwithstanding the fact that as a member of the Ways and Means Committee, he had signed a report favoring a license to dealers in salmon, a Senator had a right to change his mind. The motion to strike out the salmon license section carried.

Then Achi moved to strike out the license to sell tobacco, cigars and cigarettes. He made a plea in favor of his motion, and Kalama moved the salmon section. This carried and the section passed, with the amendment that persons holding merchandise license should be exempt from the salmon tax. Achi did not press his tobacco amendment after that.

In the hackmen's license section, the old fight against Japanese hackmen made its appearance in a provision that all hackmen should be able to read and write English or Hawaiian. The provision was stricken out.

The sections licensing pawnbrokers and liquor dealers were stricken from the bill. So was the section licensing livery stables. And then consideration of the whole bill was deferred to await the report of the committees to which various sections had been referred.

VETO MESSAGE.

Just before adjournment, the following message was received from the Governor:

To the Legislature of the Territory of Hawaii—

Herewith, I return Senate Bill No. 8, entitled "An Act to Amend Section 1815 of the Revised Laws of Hawaii," which I am unable to approve.

The bill attempts to give any District Magistrate the power, when justice may require, to stay an execution. At present this authority is restricted to Judges of Circuit or Record.

There has been a question heretofore as to whether an execution issued by a District Magistrate could be stayed by a Judge of a Court of Record, and it may be advisable to have this power lodged in the Circuit Courts, so far as their own respective circuits are concerned. But the proposed bill carries no such limitations. However, it is impossible to say whether this amendment means that the Circuit Judges shall have power over executions issued by themselves, and District Magistrates power over executions issued from the District Courts, or whether each shall have power over the executions issued by the other.

In its present form, therefore, it would give District Magistrates power to stay an execution, not only of the Circuit Court, but even one issued by the Supreme Court, and would, therefore, create the widest confusion.

(Signed) GEORGE R. CARTER,
Governor.

Executive Chamber, April 3, 1905.

THE HOUSE.

The House of Representatives buckled down to work in the Taxation Bill yesterday afternoon and struggled through the remaining 58 sections of it

in Committee of the Whole on the second reading. The committee rose at half-past five and asked for time in which to submit a written report.

The morning was taken up solely with routine work.

Senate Bill 40's third reading was deferred at the opening of the afternoon session, so that it could be translated into Hawaiian and printed.

The House then took up the Taxation Bill in Committee, Lewis in the chair.

Section 49, relating to appeals to tax court; Section 50, on costs, and Section 51, certificates appeal, passed with only minor amendments, "bicycle and automobile" taxes being added in the latter section. Section 52, as to appointments to appeal courts; Section 53, pay of members of the court; Section 54, providing for sessions of the court; Section 55, as to grounds; Section 56, referring to the powers of court; Section 57, as to taxation of costs, and Section 58, authorizing the assessor to amend taxation lists in conformity with decisions of the court, all passed unamended.

The sections relating to appeal to the Supreme Court were then passed seriatim.

IMPORTANT AMENDMENT.

Only once was there any debate over the passage of the sections and that arose over paragraph 2 of Section 73, relating to the enforcement of payments.

The section as originally drafted ran thus:

"By suit or action in assumpsit in his (the assessor's) own name on behalf of the Territory of Hawaii for the amount of taxes, penalties and costs and interest in any District Court irrespective of the amount claimed. Execution may issue upon any judgment rendered in any such suit which may be satisfied out of any real or personal property of the defendant in such suit, without other or further authority."

On amendment, the last clause, "without other or further authority," was struck out and the following clause was inserted: "Provided, however, no property, real or personal, shall be sold under such execution for the payment of said taxes, penalties, costs and interest for less than half of the assessed value of such property."

INCOME EXEMPTION.

When the section regarding exemption on income tax came up several amendments were presented. The section, as submitted, provided for the exemption of "gains, profits and income" up to \$1,000 a year from the tax of 2 per cent. Sheldon moved to make the amount \$2,000 per annum, Aylett \$1,800, Long \$1,500 and Rice \$1,200.

After a debate Rice, Long and Sheldon withdrew their amendments and the section passed as originally drawn. Aylett's amendment being defeated.

CHARITIES PROPERTY EXEMPT.

The bill was read through to the end with only occasional verbal amendments, after which the committee went back to Section 26, the section relating to exemption of public, educational, religious and eleemosynary institutions.

On Harris's motion the Lunatic Home and Home for Incurables were exempted in common with the Queen's Hospital, Kona Orphanage and other institutions.

A new section was introduced on Coelho's motion to exempt for five years all property actually used in producing tobacco, rubber, cork, oak, Manila hemp, sansaveria, Salomina hemp and cacao for commercial purposes.

CONTROL TROLLEY CARS.

Before adjournment, under suspension of the rules, a bill by Coelho was introduced and read a first time, for the purpose of controlling and regulating the running of electric cars in Hawaii.

COUNTY BILL BACK.

During the morning session the Senate sent back House Bill No. 1, the County Bill, with the amendments made in the Upper House. The clerk of the House began to read it, but it was decided that a more intelligent understanding of it could be had if the bill were printed. A special committee consisting of Holstein, Rice and Kaleiopi was appointed to translate the bill and pass it on to the Printing Committee.

MANY PETITIONS.

The following petitions were received:

From J. D. Avery, Clerk of the County Act Commission, asking for payment of \$238.14 for work done and materials used in the County Act's preparation. He has another bill for a similar amount to be paid by the Senate.

From residents of the Palolo valley asking for a cemetery on the site promised for a chapel.

The American-Hawaiian Engineering and Construction Co., Ltd., petitioned the House to appropriate a sufficient sum to reimburse it for losses over the Brewer's wharf contract. It claimed that owing to the cancellation of the contract it has now on hand material to the value of \$22,053 and has paid out in cash \$2,913 with interest and a reasonable profit amounting to \$3,744, the total amount involved is \$28,710. It asks that the Territory take over the material and reimburse the company for its losses. The matter was referred to the Committee on Public Expenditures.

The Senate reported that it had adopted the House Joint Resolution for the immediate construction of a wooden bridge across Kaukonahua stream, Waialua, out of the old appropriation of \$4,000.

MERCHANTS APPROVE.

A joint communication was received from the Legislative Committee of the Chamber of Commerce and the Committee of Public Affairs of the Merchants' Association expressing approval of House Bill No. 180 and urging its passage. The bill is for the purpose of returning to the rate of 9 per cent as the legal rate of interest, the rate having been reduced to 6 per cent a few years ago. The letter points out that with the legal rate 6 per cent a premium is put on leaving accounts unpaid. If 3 per cent were the ruling

FAMOUS CORRESPONDENT TO SERVE THE ADVERTISER



FREDERICK J. HASKIN, WHO WILL SUPPLY "ROUND THE WORLD" CORRESPONDENCE TO THE SUNDAY ADVERTISER.

Mr. Frederick J. Haskin, one of the best known press correspondents of the United States, has been here for ten days writing articles about Hawaii for a syndicate of newspapers which includes some of the largest of the dailies, such as the Philadelphia Record, the Louisville Courier-Journal and the Cincinnati Enquirer. He leaves today on the China for a tour of the world, writing descriptive letters en route. Readers of the Sunday Advertiser will be pleased to know that the Gazette Company has contracted for his service and that the letters from Hawaii will be included in it. The correspondence will be illustrated.

Mr. Haskin has already travelled widely and away from the beaten tracks. He was in Alaska during the adjustment of the boundary question; from there he went to Canada and then to Panama where he arrived immediately after the Colombian trouble; then he started down the west coast to Chile where he stayed for some weeks, thence circling the southern continent and visiting Buenos Ayres, Montevideo, Rio, Barbadoes, Trinidad, Cuba and Jamaica. Visiting Mexico he had a remarkable interview with President Diaz on the silver question. During the next few weeks he will be at work in Japan, China and the Philippines. His final letters will come from Russia.

bond rate it would be different, but, as it is, a merchant is probably required to pay 8 per cent on his own draft if secured or more if it is unsecured. It also points out that the government calls for 10 per cent interest charge on overdue taxes.

The communication was referred to the Judiciary Committee which has the bill in hand.

The same bodies wrote commending House Bill 45, to facilitate the collection of open accounts and urging that it be passed.

FINANCE REPORTS.

The Finance Committee reported on the following matters:

Joint resolution for a commission of seven members to be appointed by the Governor to revise the tax laws of Hawaii (Sheldon). Recommended tabled to be considered with the House bill of like nature.

To regulate the sale of goods, wares and merchandise (Kauaiho). Recommended to be taken up with House bill concerning licenses.

To regulate trust companies (Harris). Recommended with minor amendments.

For \$634.20 for printing the journal of the extra session in Hawaiian, Paradise of the Pacific. Recommended.

For \$1,500 for postal stamps and envelopes for the use of inmates of Kalihi station and the leper settlement (Coelho). Recommended.

For the return of deposits by defeated candidates in the county election of 1903 (Coelho). Recommended disallowed. The matter will be considered with the bill.

To provide a license fee of \$50 per annum for pawnbrokers, no more than 4 per cent per month to be charged on loans under \$20; no more than 2 per cent for loans over \$20 and under \$100, or 1 per cent on loans over \$100 (Lane). Recommended.

For the support and maintenance of the Kapiolani Maternity Home for the biennial period, \$9,000. Recommended.

To provide for licensing barbers (Kauaiho). To be considered with the general license bill.

To acquire the American Sugar Company's wharf at Kaunakakai, Molokai, for a public wharf, \$10,000 (Coelho). Recommended to disallow. To be tabled and considered with the appropriation bill.

To pay for goods purchased of Wall, Nichols Company by the Legislature of 1903, \$17.80, and of the Hawaiian News Company, \$21.25. Recommended.

For allowing the establishment of branch banks (Bishop). Recommended.

To amend the Revised Laws respecting juries and trial by jury (Rice). Recommended as amended.

For payment of witnesses from Hawaii in the Jones case, \$57 (Holstein). Recommended.

The Joint Railroad Committee reported on Kaleiopi's bill to authorize John Lucas and J. H. Schnack to construct, maintain and operate a railroad in Oahu. The report stated that the committee had been unable to agree on the proposition to allow the railroad to use the public streets and on the further proposition that the Territory should pay an annual subsidy of \$700

for five years. The matter was therefore referred back for further instructions. The committee consists of Representatives Harris, Sheldon, Pali; Senators Lane, Bishop and Achi.

The Committee on Public Instruction reported favorably on the Fernandez resolution for a school and water tank at Panahau plantation, \$1,500.

AFTER THE FOREIGNERS.

Sheldon introduced a bill to provide for a \$500 license for foreign corporations, other than insurance companies, which do not invest capital in the Territory. It was read a first time by title and passed on to the Printing Committee.

STILL RESOLUTING.

The following resolutions were introduced:

For a steam roller, Puna, \$5,000. (Lewis.)

For the extension of Pukoo landing, Molokai, \$5,000. (Nakunua.)

For the payment of \$8 a month to laborers at the leper settlement instead of \$4 a month. (Coelho.)

For a hospital at North Kohala, \$15,000. (Palau.)

For macadamizing Paia road, \$7,500; regrading Kaunakakai road, \$3,500; regrading road, Paia to Makawao, \$5,000; water cart and two mules, Paia, \$1,000. (Kalline.)

For a structure at Kahili receiving station for the benefit of relatives of those detained there, \$500. (Waterhouse.)

HONOLULU WEATHER IN MONTH OF MARCH

U. S. DEPARTMENT OF AGRICULTURE, WEATHER BUREAU.

MONTHLY METEOROLOGICAL SUMMARY.

Station, Honolulu, T. H.; Month, March, 1905.

Date.	Temperature			Precipitation	Character
	Max.	Min.	Mean		
1.....	74	66	70	.09	Cloudy
2.....	75	63	69	...	Clear
3.....	78	64	71	...	Clear
4.....	76	64	70	.07	Cloudy
5.....	75	65	70	.10	Cloudy
6.....	72	60	66	T	Pt. Clody
7.....	71	57	64	T	Pt. Clody
8.....	71	58	64	...	Pt. Clody
9.....	77	62	70	T	Clear
10.....	72	59	66	T	Clear
11.....	72	62	67	...	Clear
12.....	71	67	64	...	Clear
13.....	74	61	68	...	Clear
14.....	73	61	67	...	Clear
15.....	74	62	68	...	Clear
16.....	75	63	69	...	Clear
17.....	75	66	70	...	Pt. Clody
18.....	82	65	74	...	Clear
19.....	80	68	74	...	Clear
20.....	80	67	74	...	Clear
21.....	80	68	74	...	Pt. Clody
22.....	82	69	74	T	Pt. Clody

23.....	79	70	74	T	Clear
24.....	78	68	72	.02	Pt. Clody
25.....	76	70	74	T	Pt. Clody
26.....	78	68	73	.07	Pt. Clody
27.....	78	67	72	.08	Pt. Clody
28.....	77	69	73	T	Pt. Clody
29.....	79	69	74	.01	Pt. Clody
30.....	78	69	74	...	Pt. Clody
31.....	79	69	74	T	Pt. Clody

Mean, 76.2 64.7 70.4

Note—"T" indicates trace of precipitation. *In inches and hundredths.

ATMOSPHERIC PRESSURE.

(Reduced to sea level; inches and hundredths.)

Mean, 30.06; highest, 30.19; date, 13; lowest, 29.90; date, 4 and 5.

TEMPERATURE.

Highest, 82; date, 18; lowest, 57; date, 12.

Greatest daily range, 17; date, 13.

Least daily range, 8; date, 1.

Mean for this month in 1890, 71 deg.; 1891, 71 deg.; 1892, 70 deg.; 1893, 70 deg.; 1894, 70 deg.; 1895, 70 deg.; 1896, 70 deg.; 1897, 73 deg.; 1898, 70 deg.; 1899, 72 deg.; 1900, 72 deg.; 1901, 73 deg.; 1902, 71 deg.; 1903, 68 deg.; 1904, 72 deg.; 1905, 70 deg.

Mean of this month for 16 years, 71

Absolute maximum for this month for 16 years, 83.

Absolute minimum for this month for 16 years, 53.

Average daily deficiency of this month as compared with mean of 16 years, 6.8.

Accumulated deficiency since January 1, 174.

Average daily deficiency since January 1, 1.9.

PRECIPITATION.

Total this month, 0.44.

Greatest precipitation in 24 hours, 0.17; date, 4 and 5.

Total precipitation this month in 1877, 0.67; 1878, 0.13; 1879, 0.42; 1880, 2.88; 1881, 4.07; 1882, 7.45; 1883, 1.21; 1884, 4.65; 1885, 2.78; 1886, 1.94; 1887, 2.42; 1888, 1.53; 1889, 0.84; 1890, 13.29; 1891, 0.56; 1892, 0.97; 1893, 0.76; 1894, 2.16; 1905, 0.44.

Average of this month for 19 years, 2.59.

Deficiency of this month as compared with average of 19 years, 2.15.

Accumulated deficiency since January 1, 8.33.

WIND.

Prevailing direction, N.E.; total movement, 6302 miles; average hourly velocity, 8.5; maximum velocity (for 5 minutes), 34 miles per hour, from the west on the 10.

WEATHER.

Number of clear days, 14; partly cloudy, 14; cloudy, 3; on which .61 inch, or more, of precipitation occurred.

MISCELLANEOUS PHENOMENA.

(dates of).

Auroras, none; halos: solar, none; lunar, none.

Hail, none; sleet, none; fog, none.

Thunderstorms, none.

Frost: Light none, heavy none, killing none.

NOTE.—Rainfall to 1894, incl., from McKibbin record; all other data to 1904, incl., from records of Territorial Meteorologist; 1905 data from U. S. Weather Bureau records.

ALEX. McC. ASHLEY,
Section Director.

INTOXICATION.

(Continued from page 1.)

at the last and he let him go ashore. He did not know whose voice it was. He just heard it and obeyed it.

SHOOK LEPER'S HAND.

Antone Manuel was the next witness. He said that he thought that the boat he went ashore in was the second. Mr. McVeigh took up his permit and told him to wait at the landing until the other permits were taken up and then he would take them to the house. On the way up to McVeigh's house he saw lepers on the sides of the road, but at a distance. He saw one Clark, a leper, being near him with others, though he had no conversation with him. Mr. Abraham Fernandez spoke to him.

Clark did not want to shake hands with Fernandez, but later did. Senators Achi and Lane signed a resolution to the effect that everybody should be allowed on shore and witness took the paper to the ship to have Mr. Brown sign it.

MAHELONA WANTED BARS DOWN.

At the landing witness saw Lieutenant Luehwa and a number of the settlement officers with white badges. The settlement officers told Luehwa that the idea was that his Honolulu police should care for the Honolulu people, who would mind them better, while the settlement police would watch out for the lepers. One Waimau was taking up the permits of those who were landing. Witness heard Representative Mahelona tell Waimau to let the people go out and see the lepers and not to take away their passes. Mahel